



PUBLIC HEARING MINUTES

MAY 19, 2022

A Public Hearing of the City of Vancouver was held on Thursday, May 19, 2022, at 6:12 pm, in the Council Chamber, Third Floor, City Hall. This Public Hearing was convened by electronic means as authorized under Section 566 of the *Vancouver Charter*.

PRESENT: Mayor Kennedy Stewart
Councillor Christine Boyle
Councillor Rebecca Bligh
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Lisa Dominato
Councillor Sarah Kirby-Yung
Councillor Jean Swanson
Councillor Michael Wiebe

ABSENT: Councillor Pete Fry
Councillor Colleen Hardwick Leave of Absence – Civic Business

CITY CLERK'S OFFICE: Lesley Matthews, Chief of External Relations & Protocol
Kirsty Colquhoun, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

The Mayor acknowledged we are on the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh People. We thank them for having cared for this land and look forward to working with them in partnership as we continue to build this great city together.

The Mayor also recognized the immense contributions of the City of Vancouver's staff who work hard every day to help make our city an incredible place to live, work, and play.

1. **Amendments to the Zoning and Development By-law in the FC-1 District, and to the Downtown-Eastside/Oppenheimer District Official Development Plan (DEOD ODP) By-law to Increase Social Housing and Encourage Heritage Conservation**

An application by the General Manager of Planning, Urban Design and Sustainability was considered as follows:

Summary: To amend the Downtown-Eastside/Oppenheimer District Official Development Plan (DEOD ODP) and FC-1 (East False Creek) District to facilitate the delivery of 100% social housing. For 100% social housing, in the DEOD ODP

a floor space ratio (FSR) of 5.5 and height of 7.6 metres (22.9 feet) are proposed, and in FC-1 a FSR of 6.0 with no change to height are proposed. In both districts, a discretionary increase in density of 10% to incentivise heritage conservation is proposed. Amendments to the DTES Rezoning Policy are also proposed to enable density and height beyond zoning to be determined based on heritage considerations, context, and urban design for 100% social housing projects.

The General Manager of Planning, Urban Design and Sustainability recommended approval subject to conditions set out in the summary and recommendation.

Summary of Correspondence

No correspondence has been received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments:

Staff Opening Comments

Staff from Planning, Community Planning, Urban Design and Sustainability and the Parks Board provided an overview of the item and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following provided comments in support of the application:

- Graham Wood
- Jill Atkey

The speakers list and receipt of public comments closed at 7:20 pm

Staff Closing Comments

Staff from Planning, Community Planning, Urban Design and Sustainability provided closing comments.

At 7:20 pm, during closing comments, staff provided clarification on an error contained in the Summary paragraph of the Summary and Recommendation, entitled "[Amendments to the Zoning and Development By-law in the FC-1 District, and to the Downtown-Eastside/Oppenheimer District Official Development Plan \(DEOD ODP\) By-law to Increase Social Housing and Encourage Heritage Conservation](#)" with respect to the height of Social Housing in the DEOD ODP. The correct proposed height of the average unit sizes can be found on page 7 and 18 of the Staff presentation dated May 19, 2022, entitled "[Proposed amendments to DEOD ODP, FC-1 district schedule, and DTES Rezoning Policy to Increase Social Housing and Encourage Heritage Conservation](#)" and on page 1 of the Referral Report dated January, 25, 2022, entitled "[Amendments to the Zoning and Development By-law in the FC-1 District, and to the Downtown-Eastside/Oppenheimer District Official Development Plan \(DEOD ODP\) By-law to Increase Social Housing and Encourage Heritage Conservation](#)".

- Increase the maximum height to 30.5 metres (100 ft)

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

- A. THAT Council approves, in principle, the application to amend the Downtown-Eastside/Oppenheimer Official Development Plan By-law for sub-areas 2, 3 and 4, generally as presented in the Referral Report dated January 25, 2022, entitled “Amendments to the Zoning and Development By-law in the FC-1 District, and to the Downtown-Eastside/Oppenheimer District Official Development Plan (DEOD ODP) By-law to Increase Social Housing and Encourage Heritage Conservation”, to:
- (i) increase the total maximum floor space to 5.5, where all residential units are social housing;
 - (ii) increase the maximum height to 30.5 metres; and
 - (iii) permit an increase in the maximum floor space ratio by up to 10 percent for heritage conservation;

FURTHER THAT the amendment to the Downtown-Eastside/Oppenheimer Official Development Plan By-law, prepared for the Public Hearing in accordance with Appendix A, of the above-noted Report be approved in principle.

- B. THAT Council approves, in principle, the application to amend the FC-1 (East False Creek) District Schedule of the Zoning and Development By-law, generally as presented in the Referral Report dated January 25, 2022, entitled “Amendments to the Zoning and Development By-law in the FC-1 District, and to the Downtown-Eastside/Oppenheimer District Official Development Plan (DEOD ODP) By-law to Increase Social Housing and Encourage Heritage Conservation”, to:
- (i) increase the total maximum floor space ratio to 6.0, where all residential units are social housing;
 - (ii) increase the maximum floor space ratio allocated for residential use to 4.5 where all residential units are social housing; and
 - (iii) permit an increase in the maximum floor space ratio by up to 10 percent for heritage conservation.

FURTHER THAT the amendment to the Zoning and Development by-law, prepared for the Public Hearing in accordance with Appendix B, of the above-noted Report be approved in principle.

- C. THAT at the time of enactment of the amended Downtown-Eastside/Oppenheimer Official Development Plan By-law, the General Manager

of Planning, Urban Design and Sustainability be instructed to prepare the updated Downtown Eastside/Oppenheimer Design Guidelines, generally in accordance with Appendix C, of the Referral Report dated January 25, 2022, entitled “Amendments to the Zoning and Development By-law in the FC-1 District, and to the Downtown-Eastside/Oppenheimer District Official Development Plan (DEOD ODP) By-law to Increase Social Housing and Encourage Heritage Conservation”.

- D. THAT at the time of enactment of the amended Downtown-Eastside/Oppenheimer Official Development Plan By-law and the FC-1 (East False Creek) District Schedule, the General Manager of Planning, Urban Design and Sustainability be instructed to prepare the updated Downtown Eastside Rezoning Policy, generally in accordance with Appendix D, of the Referral Report dated January 25, 2022, entitled “Amendments to the Zoning and Development By-law in the FC-1 District, and to the Downtown-Eastside/Oppenheimer District Official Development Plan (DEOD ODP) By-law to Increase Social Housing and Encourage Heritage Conservation”.
- E. THAT A through D above be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact any rezoning by-laws; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 08397)

2. Encouraging EV Charging at Gas Stations and Parking Lots – Climate Emergency Action Plan

An application by the General Manager of Planning, Urban Design and Sustainability was considered as follows:

Summary: To amend the Zoning and Development By-law and the License By-law to include new definitions for gas stations and parking uses to permit EV charging; new business licence categories for gas stations and commercial parking lots that provide enough EV charging to meet minimum standards; and, to increase annual business licence fees for gas stations and parking lots that do not provide enough EV charging to meet the minimum standards set out by the City of Vancouver.

The General Manager of Planning, Urban Design and Sustainability recommended approval subject to conditions set out in the summary and recommendation.

Summary of Correspondence

The following correspondence was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments:

2 pieces of correspondence in support;
4 pieces of correspondence in opposition; and
two pieces of correspondence regarding other aspects related to the application.

Staff Opening Comments

Staff from Sustainability Policy Analyst, Sustainability Group, Planning Urban Design and Sustainability provided an overview of the item and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

Tim Bray provided comments in support of the application.

The following provided comments on other aspects of this application:

- Aaron James Henry
- Perry Billard

The speakers list and receipt of public comments closed at 8:48 pm

Staff Closing Comments

Staff from Sustainability, Sustainability Group, Planning Urban Design and Sustainability provided closing comments.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT Council approves, in principle, the application to amend Section 2 of the Zoning and Development By-law to change the definitions for gasoline stations, cardlock fuel stations, and parking uses to permit the use of electric vehicle ("EV") charging;

FURTHER THAT the amendment to the Zoning and Development By-law, prepared for Public Hearing in accordance with Appendix A, of the Referral Report dated March 15, 2022, entitled "Encouraging EV Charging at Gas

Stations and Parking Lots – Climate Emergency Action Plan”, be approved in principle.

- B. THAT Council approves, in principle, amendments to the License By-law to:
- (i) amend the definition of “Gasoline Station” to include “Cardlock Fuel Station”, and add a new definition for “Cardlock Fuel Station” to include the provision of electricity for electric vehicle (“EV”) charging in accordance with the definitions attached in Appendix B of the Referral Report dated March 15, 2022, entitled “Encouraging EV Charging at Gas Stations and Parking Lots – Climate Emergency Action Plan”;
 - (ii) remove the definitions of “Gasoline Station – Full Serve”, “Gasoline Station – Self Serve” and “Gasoline Station – Split Island” in accordance with Appendix B of the above-noted Report;
 - (iii) add a new definition of “Marine Service Station” in accordance with Appendix B of the above-noted Report;
 - (iv) create a new business licence category for gasoline stations that provide electric vehicle charging with a total power output of at least 50 kW and establish a separate business licence fee for such gas stations. 2022 licence fees are \$243 and the actual fees set for 2025 implementation would be subject to the annual business licence fee review and report to Council in 2024;
 - (v) set the licence fee for gas stations that do not provide electric vehicle charging with a total power output of at least 50 kW at \$10,000 for implementation in 2025;
 - (vi) set the licence fee for marine service stations, at the same fee as gas stations that provide electric vehicle charging with a total power output of at least 50 kW;
 - (vii) add new definitions of “Auto Parking”, “Auto Parking Small” and “Auto Parking with Charging” in accordance with Appendix B of the above-noted Report;
 - (viii) add a new section 10.5 (9) to allow auto parking licence holders to provide electricity for electric vehicle (“EV”) charging;
 - (ix) create a new business licence category for motor vehicle parking businesses that provide electric vehicle charging with a total power output of at least 26.6 kW and establish a separate business licence fee for such parking businesses. 2022 licence fees are \$163 and the actual fees set for 2025 implementation would be subject to the annual business licence fee review and report to Council in 2024; and
 - (x) set the licence fee for motor vehicle parking businesses that do not provide electric vehicle charging with a total power output of at least 26.6 kW at \$10,000 for implementation in 2025, except the licence fee for parking lots with fewer than 60 parking stalls, which shall be set at the

same fee as parking lots that provide electric vehicle charging with a total power output of at least 26.6 kW;

FURTHER THAT the amendment to the License By-law, prepared for the Public Hearing generally in accordance with Appendix B, of the above noted-report", be approved in principle.

- C. THAT A through B be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact any amending by-laws; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

amended

AMENDMENT MOVED by Councillor Dominato
SECONDED by Councillor De Genova

THAT the following be added as D:

THAT Council direct staff to report back in Q2 2026 on the implementation of the new business license categories for gas stations and commercial parking lots, including opportunities and challenges that have arisen from the implementation.

CARRIED UNANIMOUSLY (Vote No. 08398)

The amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 08399)

FINAL MOTION AS APPROVED

- A. THAT Council approves, in principle, the application to amend Section 2 of the Zoning and Development By-law to change the definitions for gasoline stations, cardlock fuel stations, and parking uses to permit the use of electric vehicle ("EV") charging;

FURTHER THAT the amendment to the Zoning and Development By-law, prepared for Public Hearing in accordance with Appendix A, of the Referral Report dated March 15, 2022, entitled "Encouraging EV Charging at Gas Stations and Parking Lots – Climate Emergency Action Plan", be approved in principle.

- B. THAT Council approves, in principle, amendments to the License By-law to:

- (i) amend the definition of “Gasoline Station” to include “Cardlock Fuel Station”, and add a new definition for “Cardlock Fuel Station” to include the provision of electricity for electric vehicle (“EV”) charging in accordance with the definitions attached in Appendix B of the above-noted Report;
- (ii) remove the definitions of “Gasoline Station – Full Serve”, “Gasoline Station – Self Serve” and “Gasoline Station – Split Island” in accordance with Appendix B of the above-noted Report;
- (iii) add a new definition of “Marine Service Station” in accordance with Appendix B of the above-noted Report;
- (iv) create a new business licence category for gasoline stations that provide electric vehicle charging with a total power output of at least 50 kW and establish a separate business licence fee for such gas stations. 2022 licence fees are \$243 and the actual fees set for 2025 implementation would be subject to the annual business licence fee review and report to Council in 2024;
- (v) set the licence fee for gas stations that do not provide electric vehicle charging with a total power output of at least 50 kW at \$10,000 for implementation in 2025;
- (vi) set the licence fee for marine service stations, at the same fee as gas stations that provide electric vehicle charging with a total power output of at least 50 kW;
- (vii) add new definitions of “Auto Parking”, “Auto Parking Small” and “Auto Parking with Charging” in accordance with Appendix B of the above-noted Report;
- (viii) add a new section 10.5 (9) to allow auto parking licence holders to provide electricity for electric vehicle (“EV”) charging;
- (ix) create a new business licence category for motor vehicle parking businesses that provide electric vehicle charging with a total power output of at least 26.6 kW and establish a separate business licence fee for such parking businesses. 2022 licence fees are \$163 and the actual fees set for 2025 implementation would be subject to the annual business licence fee review and report to Council in 2024; and
- (x) set the licence fee for motor vehicle parking businesses that do not provide electric vehicle charging with a total power output of at least 26.6 kW at \$10,000 for implementation in 2025, except the licence fee for parking lots with fewer than 60 parking stalls, which shall be set at the same fee as parking lots that provide electric vehicle charging with a total power output of at least 26.6 kW;

FURTHER THAT the amendment to the License By-law, prepared for the Public Hearing generally in accordance with Appendix B, of the Referral Report dated

March 15, 2022, entitled “Encouraging EV Charging at Gas Stations and Parking Lots – Climate Emergency Action Plan”, be approved in principle.

C. THAT A through B be adopted on the following conditions:

- (i) THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact any amending by-laws; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

D. THAT Council direct staff to report back in Q2 2026 on the implementation of the new business license categories for gas stations and commercial parking lots, including opportunities and challenges that have arisen from the implementation.

3. Heritage Designation – 2014 West 15th Avenue, Morrison Residence

An application by the General Manager of Planning, Urban Design and Sustainability was considered as follows:

Summary: To add to the Vancouver Heritage Register in the “B” evaluation category and to bring forward for enactment a by-law to designate as protected heritage property the structure and exterior of the existing building at 2014 West 15th Avenue known as “Morrison Residence”.

The General Manager of Planning, Urban Design and Sustainability in consultation with the Director of Legal Services recommended approval subject to conditions set out in the summary and recommendation.

Summary of Correspondence

No correspondence has been received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

The Mayor called for speakers for and against the application and none were present.

The speakers list and receipt of public comments closed at 9:18 pm

Staff Closing Comments

Staff from the Heritage Group, Planning, Urban Design and Sustainability provided closing comments.

At 9:18 pm, during closing comments, staff provided clarification on a typographical error in the title of the Summary and Recommendation, entitled "[Heritage Revitalization Agreement and Designation – 2014 West 15th Avenue, Morrison Residence](#)". The correct title is as follows:

- Heritage Designation – 2014 West 15th Avenue, Morrison Residence.

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Kirby-Yung

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the structure and exterior of the building as protected heritage property, located at 2014 West 15th Avenue [*PID 011-000-848; Lot 9 Block 465 District Lot 526 Plan 2983*] (the "site"), also known as the Morrison Residence (the "heritage building"), which is listed on the Vancouver Heritage Register in the 'B' evaluation category;
- B. THAT A be adopted on the following conditions:
 - (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 08400)

4. Heritage Revitalization Agreement and Designation – 2146 Semlin Drive, 'Kilpin Residence'

An application by the General Manager of Planning, Urban Design and Sustainability was considered as follows:

Summary: To add 2146 Semlin Drive, known as "Kilpin Residence", to the Vancouver Heritage Register in 'B' evaluation category, to designate its structure and exterior as protected heritage property, and to authorize the City to enter into a Heritage Revitalization Agreement (HRA). The HRA will result in variances to the Subdivision By-law and the Zoning and Development By-Law to permit the owner to develop the Lands to deliver conservation and maintenance of the historic residence.

The General Manager of Planning, Urban Design and Sustainability in consultation with the Director of Legal Services recommended approval subject to conditions set out in the summary and recommendation.

Speakers

The Mayor called for speakers for and against the application and none were present.

The speakers list and receipt of public comments closed at 9:26 pm

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Carr

- A. THAT the existing building known as 'Kilpin Residence' (the "heritage building") located at 2146 Semlin Drive [*PID 003-637-433; Lot B (Explanatory Plan 3825) of Lot D Block 147 District Lot 264A Plans 361 and 1771*] (the "Lands"), be added to the Vancouver Heritage Register in the 'B' evaluation category;
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 593 of the *Vancouver Charter*, a by-law to designate the structure and exterior of the heritage building as protected heritage property;
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the *Vancouver Charter*, a by-law to authorize the City to enter into a Heritage Revitalization Agreement (HRA) to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building;
 - (ii) vary the Subdivision By-law to permit a subdivision of the Lands into two new parcels, the "heritage parcel" and the "non-heritage parcel", the latter of which will be smaller in area than otherwise permitted under the Subdivision By-law; and
 - (iii) vary the *Zoning and Development By-law* in respect of the two new parcels to be created by the proposed subdivision of the Lands as proposed under Development Permit Application DP-2021-00123 and as more particularly described in this report dated March 7, 2022, entitled "Heritage Revitalization Agreement and Designation – 2014 West 15th Avenue, Morrison Residence;
- D. THAT the agreements described above shall be prepared, registered, and given priority on title to the Lands, to the satisfaction of the Director of Legal Services, in consultation with the Director of Planning;
- E. THAT A and C be adopted on the following conditions:

- (i) THAT the passage of the above resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
- (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 08401)

ADJOURNMENT

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Wiebe

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:28 pm.

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